

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1338 of 2017

1. Kamta Singh @ Kamta Prasad Singh, son of Jagarnath Singh, resident of Village- Lakhmohana, P.S.- Akbarpur, District- Nawada at present residing at Mohalla- New Area, Yamuna Path, Near Shiv Mandir, P.O., P.S. and District- Nawada.
2. Manohar Singh, son of Jagarnath Singh, resident of Village- Lakhmohana, P.S.- Akbarpur, District- Nawada at present residing at Mohalla- New Area, Yamuna Path, Near Shiv Mandir, P.O., P.S. and District- Nawada.
3. Subodh Singh, son of Jagarnath Singh, resident of Village- Lakhmohana, P.S.- Akbarpur, District- Nawada at present residing at Mohalla- New Area, Yamuna Path, Near Shiv Mandir, P.O., P.S. and District- Nawada.
4. Binod Singh, son of Jagarnath Singh, resident of Village- Lakhmohana, P.S.- Akbarpur, District- Nawada at present residing at Mohalla- New Area, Yamuna Path, Near Shiv Mandir, P.O., P.S. and District- Nawada.

... .. Petitioner/s

Versus

- 1.1. Jagtaran Devi widow of Late Ram Bilash Singh, resident of Village Meghipur, Mohalla New Area Nawada Shiv Mandir, Yamuna Path Nawada, P.S. and District- Nawada at present New Area Chaurasia Colony Nawada P.S. and District- Nawada.
- 1.2. Shatish Kumar son of Late Ram Bilash Singh, resident of Village Meghipur, Mohalla New Area Nawada Shiv Mandir, Yamuna Path Nawada, P.S. and District- Nawada at present New Area Chaurasia Colony Nawada P.S. and District- Nawada.
- 1.3. Meena Devi wife of Morarjee Desai daughter of Late Ram Bilash Singh, resident of Village Patyori, P.O. Nemdarganj, P.S. Akbarpur, District- Nawada.
- 1.4. Beby Devi, wife of Vinay Kumar daughter of Late Ram Bilash Singh, resident of Village Aanti, P.S. Kadirganj O.P., P.O. Kadirganj, District Nawada.
- 1.5. Kusum Devi wife of Neeraj Kumar @ Santu Kumar daughter of Late Ram Bilash Singh, resident of Village Chandinama, P.O., P.S. Kashichak, District Nawada.
- 1.6. Manju Devi, wife of Praveen Kumar Sharma daughter of Late Ram Bilash Singh, resident of Village Hadsha, P.O. and P.S. Hisua, District- Nawada.
2. Mikki Devi, W/o Satish Kumar, resident of Mohalla- New Area Nawada Shiv Mandir, Yamuna Path Nawada, P.S. and District- Nawada.
3. Lalan Mahto, son of Balo Mahto, resident of Mohalla- Mangarbigha, P.O., P.S. and District- Nawada.
4. Ramdhani Mahto, son of Balo Mahto, resident of Mohalla- Mangarbigha, P.O., P.S. and District- Nawada.
5. Chandan Kumar, son of Balo Mahto, resident of Mohalla- Mangarbigha, P.O., P.S. and District- Nawada.



6. Shanti Devi, daughter of Balo Mahto, resident of Mohalla- Mangarbigha, P.O., P.S. and District- Nawada.
7. Panwan Devi, daughter of Balo Mahto, resident of Mohalla- Mangarbigha, P.O., P.S. and District- Nawada.
8. Sumitra Devi, daughter of Balo Mahto, resident of Mohalla- Mangarbigha, P.O., P.S. and District- Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. J. K. Verma Mr. Abhishek Anand
For the Respondent/s	:	Mr. Dronacharya

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 22-08-2022 Heard learned Counsel for the parties concerned.

With the consent of the parties, the impugned order, dated 12.06.2017, passed, in Title (Eviction) Appeal No. 18 of 2016/21 of 2016, by learned 3rd Additional District Judge, Nawada, is hereby set aside.

Till the disposal of Title (Eviction) Appeal No. 18 of 2016/21 of 2016, further proceedings of Execution Case No. 01 of 2016, pending before learned Sub Judge-III, Nawada, arising out of Eviction Suit No. 50 of 2003, shall remain stayed, subject to the condition that the appellant shall deposit a lump sum amount of Rs. 50,000/- before the learned Executing Court, at Nawada within a period of three weeks from today.

It is made clear that the amount deposited by the appellant shall not be withdrawn by any of the parties during the pendency of the appeal and the said deposit shall be subject to



the final outcome of the appeal.

The learned Appellate Court is requested to dispose the appeal expeditiously preferably within a period of six months from the date of receipt/production of a copy of this order.

This application is allowed to the extent indicated above.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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